

**MINUTES OF THE REGULAR MEETING OF THE PLANNING BOARD OF
THE VILLAGE OF IRVINGTON HELD IN THE TRUSTEES' ROOM, VILLAGE
HALL, ON WEDNESDAY, JANUARY 3, 2001.**

Members Present: Peter Lilienfield, Chairman
William Hoffman
Jay Jenkins, Secretary
Patrick Natarelli

Also Present: Lino J. Sciarretta & Darius P. Chafizadeb, Village Counsel
Joseph Elliot, Ad Hoc Planning Board Member
Edward P. Marron, Jr., Building Inspector
Florence Costello, Planning Board Clerk
Nicole Coddington, Environmental Conservation Board
J&L Reporting Service, for Westwood Development Associates
Dalco Reporting, Inc., for Bridge Street Properties, LLC
Applicants and other persons mentioned in these Minutes
Members of the Public.

**IPB Matters
Considered:**

- 94-03 – Westwood Development Associates, Inc.**
Sht.10,P25J2,25K2,Sht.10C,Bl.226,Lots 25A,26A
Sht. 11, P-25,P25J
- 99-31 – Danfor Realty – Fatato Subdivision**
Sht. 13B, P5, P5C
- 00-24 – Miji Inaba**
Sht. 10F, Bl. 253, Lot 1
- 00-28 – Bridge Street Properties, LLC**
Sht. 3, P-103
- 00-38 – George & Margaret Siber**
Sht. 7A, Bl. 235, Lot 6
- 00-40 – Astor Street Associates, LLC – Informal Discussion**
Sht. 7, Portion of P-25000
- 01-01 - Richard & Margaret Wood**
Sht. 12B, Lot #63
- 01-02 - Eric & Francine Ross**
Sht. 13B, P-11D
- 01-03 – John & Miriana Lubina**
Sht. 10B, Bl. 229, Lot 50A
- 01-04 – Alan Neiditch**
Sht. 12B, Lot 65
- 01-05 – Deena Goldsmith**
Sht. 12A, P-1A
- 01-06 – Salvatore DeNardo**
Sht. 10B, Bl. 229, Lot 54

The Chairman called the meeting to order at 8:00 p.m.

Administrative:

1. The Chairman reported that the Board of Trustees has not yet appointed a new member to fill the vacancy on the Planning Board.
2. With reference to a Local Law adopted by the Village Board prohibiting the Board from considering any application concerning property on which taxes are delinquent, Mrs. Costello advised the Board that the Village Clerk-Treasurer had confirmed that all properties on the Agenda were current as to taxes and fees. Further, unless otherwise noted, the Applicants submitted evidence of Notice to Affected Property Owners.
3. The Chairman stated that the Riverview Road demapping study by Tim Miller Associates, Inc. will be discussed at the next meeting of the Board.

IPB Matter #01-01:

**Application of Richard & Margaret Wood for
Amendment of Site Development Plan Approval
for property at 7 Manor Pond Lane.**

Craig Studer appeared for the Applicant. The Application relates to the proposed construction of an in-ground swimming pool. Plans submitted were: Topographic Survey prepared for Richard Wood dated March 16, 2000 by Contractors Line & Grade South, Woods Residence, Specifications dated December 18, 2000 by Studer Design Associates, Sheet 1 of 2 Sheets, and Woods Residence, Proposed Pool & Deck Addition dated December 20, 2000 by Studer Design Associates, Sheet 2 of 2 Sheets. The Board noted that, although the lot coverage calculations are acceptable, the proposed construction is outside the building envelope by about 15 feet. The Board requested an explanation of the building envelope on this lot and noted that there must be a compelling reason to alter it. Mr. Mastromonaco also noted the need for (i) evidence of the proposed storm water drainage on the Plan and (ii) a Short Environmental Assessment Form. A neighbor, Doug Wilson, requested an explanation of the proposed changes to existing landscaping.

The Board determined to do further research on the reason for the building envelope and carried this matter over to the next meeting. The Board tentatively scheduled a site walk for January 27, 2001 at 10:30 a.m.

IPB Matter #01-02:

**Application of Eric & Francine Ross for Site
Development Plan Approval for property at
200 Harriman Road.**

Craig Studer appeared for the Applicant. The Application relates to the proposed construction of an in-ground swimming pool. Plans submitted were: Survey of property

dated December 4, 1983 prepared by Edward G. Mihalcz, Topographic survey of 200 Harriman Road dated September 15, 2000, produced by Edward Mihalcz, Ross Residence, Specifications dated November 14, 2000 by Studer Design Associates, Sheet 1 of 2 Sheets, and Ross Residence, Pool Site Plan dated November 16, 2000 last revised December 12, 2000 by Studer Design Associates, Sheet 2 of 2 Sheets. The Chairman recused himself due to being an affected party by this application; Mr. Hoffman acted in his stead. Mr. Mastromonaco and the Building Inspector confirmed that the lot coverage calculations show compliance and Mr. Mastromonaco requested additional drainage detail, including drywells and piping from the pool equipment.

A neighbor, Erma Kaufman, appeared and expressed concern about drainage and visibility of the improvements. The Applicant explained that the construction, the fencing and the screening will meet all Code requirements.

After discussion, the Board requested that the Plan include a detailed planting plan, and carried this matter over to the next meeting.

IPB Matter #01-03:

Application of John & Miriana Lubino for Site Development Plan Approval for property at 3 Hudson Avenue.

The Applicant did not appear, the Application has been withdrawn.

IPB Matter #01-04:

Application of Alan Neiditch for Site Development Plan Approval for Property at 5 Manor Pond Lane.

Robert Tramontano appeared for the Applicant. The Application relates to the proposed construction of an in-ground swimming pool. The Board noted that the construction is within the building envelope and that the original site plan recognized the possible addition of a pool. Mr. Mastromonaco requested (i) more detail on the drywells, (ii) more detailed lot coverage calculations and (iii) a topographical report. Plans submitted were: Survey of property dated February 16, 2000 by William H. Free, L.S., Survey of Property dated February 16, 2000 revised December 19, 2000 by William H. Free, L.S., and Proposed Swimming Pool Development Plan, prepared by Tramontano and Rowe, dated December 20, 2000.

This matter was carried over to the next meeting.

IPB Matter #01-05:

**Application of Deena Goldsmith for Site
Development Plan Approval for Property at
200 Cyrus Field Road.**

Paul Petretti appeared for the Applicant. The Application relates to approval of a mitigation plan with regard to work currently covered by a stop order. The remedial work will involve a regrading of the site and the replanting of any trees removed in the work. The Applicant represented that Mr. Mastromonaco verbally confirmed satisfaction with the plan. Plans submitted were: Fill Mitigation Plan prepared for D. Goldsmith dated December 18, 2000 by Paul J. Petretti, P.E.

The Board noted the advisability of obtaining a landscaping plan. The Chairman, with the Board's concurrence, stated that the application would be treated as a Request for Waiver of Site Development Plan Approval and a Type II Action for SEQRA purposes.

After discussion, on motion duly made and seconded and unanimously approved, the Board then adopted the following Resolution:

WHEREAS, the Planning Board has determined in accordance with Section 243-71 of the Village Code that the proposed construction meets conditions which permit Site Development Plan Approval to be waived in that (1) special conditions peculiar to the site exist which make submission of information normally required as part of an application for Site Development Plan Approval inappropriate or unnecessary, including the facts that the proposed construction does not violate existing zoning, will not affect any environmental features or resources requiring protection, and will not require major site disturbance or removal of any significant trees, (2) that in these circumstances, to require strict compliance with the requirements for Site Development Plan Approval may cause extraordinary or unnecessary hardship; and (3) that the waiver of requirements for Site Development Plan Approval will not have detrimental effects on the public health, safety or general welfare, or have the effect of nullifying the intent and purpose of Site Development Plan Submission, the Official Map or Comprehensive Land Use Plan, or Zoning Ordinance of the Village of Irvington, or of any Local Law adopting or amending any of said Map, Plan or Ordinance, **NOW, THEREFORE**, the Planning Board hereby waives all requirements for Site Development Plan Approval for this Application, subject in all events to receipt of a satisfactory landscaping plan.

IPB Matter #01-06:

**Application of Salvatore & Antoinette DeNardo
For Site Development Plan Approval for
property at 92 East Sunnyside Lane.**

Paul Petretti appeared for the Applicant. The Application relates to the demolition of an existing house and the construction of a new two-family residence. Plan entitled: Site Grading & Utility Plan, Lot 29 Lander Hudson View Park dated December 18, 2000 by Paul J. Petretti, P.E. was submitted. Mr. Mastromonaco noted several

concerns, including (i) the need for lot coverage calculations, (ii) the effect on and of an adjacent stream, (iii) the location of existing sewer and waterlines and (iv) drainage matters. Two neighbors, the Mastropietros, also expressed concern about drainage and flooding (which has frequently occurred on the property). The Board also expressed concern about the number of driveways in the proposed plan.

This matter was carried over to the next meeting and advised the Applicant to review drainage and site capacity matters with Mr. Mastromonaco.

IPB Matter #94-03:

Application of Westwood Development Associates, Inc., for Limited Site Development Plan Approval for property at Broadway, Riverview Road and Mountain Road.

Charles Pateman and Padraic Steinschneider appeared for the Applicant. The proceeding was a continuation of the public hearing on the Westwood Development project. A full stenographic record was made of the proceedings.

The Applicant presented drawings of a reconfiguration of Lots 7, 8 and 9 and, in particular, the driveways for the properties. Drawings submitted were: Tract A Site Plan, Grading & Utility Plan, Subdivision & Site Development for Westwood, SP-1.1 dated 2/13/98 last revised 12/27/00, Option 3A, Tract A-Lots 6,7,8,9,10 & 11 Layout, Subdivision and Site Development for Westwood, SP-1.7, dated 12/27/00; Tract A, Limit of Disturbance Plan, LD-9.3 dated 12/01/00 last revised 12/27/00; Tracts B/C, Limit of Disturbance Plan, LD-9.4 dated 12/01/00 last revised 12/27/00 prepared by Cronin Engineering, P.E. The Applicant confirmed that the lots still meet all setback requirements. The Board expressed general satisfaction with the configuration.

The Applicant also presented a Limits of Disturbance Plan now showing grading for the Board's review. The Board noted the need for additional information on (i) attachment of garages to residences, (ii) a site capacity calculation for the Augusto property, (iii) the goal of having fewer curb cuts and the possibility of using a common curbcut for driveways, (iv) the intent to repair the retaining wall at the Tishelman property and (v) the reconnection or connection, as the case may be, to the sewer for the Tishelman and Oley properties.

Steven Silverberg, counsel to Dr. Felix, appeared to express concern about the extent of the conservation easement at the rear of Dr. Felix's property. The Applicant confirmed that the conservation easement had been extended to respond to Dr. Felix's initial concerns and that the actual placement of improvements on the affected lot are still under review.

The Chairman adjourned the public hearing to a Special Meeting on January 17, 2001.

IPB Matter #99-31:

**Application of Danfor Realty for Determination
Of Site Capacity for proposed Subdivision of
Property at Harriman Road.**

Paul Petretti appeared for the Applicant. Village Counsel explained that he awaits receipt of a recorded Deed as to the property and the Board noted the need for site capacity and frontage analysis for each of the proposed lots.

IPB Matter #00-24:

**Application of Miji Inaba for Amended Site
Development Plan Approval for property at
Fieldpoint Drive.**

Craig Studer appeared for the Applicant. The Application relates to a proposed modification of a previously approved plan to modify the approved grading plan and retaining wall. The Applicant submitted revised drawings showing removal of a dead tree, elimination of a tree well, additional plantings (as requested by the Board) and relocation of an existing stone retaining wall. The Applicant agreed to put additional plants at the south corner of the deck or on the sight line to such corner.

After discussion, the Board unanimously approved the amended Site Plan, Plan entitled; Lot 1 of the Goodkind Subdivision, owned by Miji Inba, Village of Irvington, New York, submitted by Studer Design Associates dated September 18, 2000 revised December 20, 2000.

IPB Matter #00-28:

**Application Bridge Street Properties, LLC
For Site Development Plan Approval for
Property at One Bridge Street.**

John Kirkpatrick, Esq. and James DeRito appeared for the Applicant. The Application relates to the proposed development of a 3-story building for business and light industrial use located at West Main Street between the Metro North Railroad and the Hudson River. A stenographic record was made.

James DeRito of Divney Tung Schwable, LLP presented a supplemental analysis of the traffic study completed on the proposed development. The supplemental analysis is incorporated by reference herein. The analysis relates to the traffic impact on the intersection of Broadway and Main Street of various levels of growth in the area and reflects that there is “excess” capacity for over 400 cars before an unacceptable level of service results. The proposed development will generate additional traffic of about 50 cars. The Board requested a similar supplemental analysis on the other affected intersections.

The Board indicated its intent to be designated lead agency, reviewed a proposed Lead Agency letter, and agreed that it should be circulated among interested and involved agencies. The letter is incorporated herein by reference.

The Board scheduled a site walk for January 6, 2001 at 10:00 a.m. and carried this matter over to the next meeting.

IPB Matter #00-40:

**Informal Discussion of Astor Street Associates
For property at MTA Sub-Station, Astor Street.**

Paul Sirigano appeared for informal discussion purposes, as to the proposed development of the MTA Power Station on Astor Street into 17 one-bedroom residential units.

The Board discussed the following:

- The need for subdivision approval,
- The need for 3 variances, side yard, frontage on public street and parking.
- The need for a Special Permit from the Board of Trustees.

The Board took no action on this matter. The Board indicated to the applicant that the next step would be to submit an application for subdivision approval.

The Board then considered the following administrative matters:

- The Special Meeting for Westwood was scheduled for January 17, 2001.
- The next regular meeting of the Planning Board was scheduled for February 7, 2001.
- The Minutes of December 6, 2000 were approved.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Jay Jenkins, Secretary